

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CWP No.10351 of 2007
Date of decision: 22.08.2007

Dr. Navdeep Walia.

-----Petitioner

Vs.

Post Graduate Institute of Medical Education & Research, Chandigarh
& another.

-----Respondents

**CORAM:- HON'BLE MR JUSTICE ADARSH KUMAR GOEL
HON'BLE MR JUSTICE AJAI LAMBA**

Present: Mr. B.S. Walia, Advocate
for the petitioner.

Mr. Arun Palli, Sr. Advocate with
Mr. Raghu Partap Singh Sarai, Advocate
for respondent No.1.

Mr. Vinod S. Bhardwaj, Advocate
for respondent No.2.

Adarsh Kumar Goel, J.

This petition seeks a direction, quashing admission of
respondent No.2 to DM Cardiology.

Case of the petitioner is that the Post Graduate Institute of
Medical Education & Research, Chandigarh, respondent No.1,
conducts a three year course in DM Cardiology, for which, written and
practical test is held twice a year in January and July. As per
prospectus, for the said course, for January 2007, candidates three
times of the number of vacancies are called for interview. There is no

reservation for foreign nationals though respondent No.2 has been selected under the said category. In the reply filed, the stand taken is that the petitioner participated twice, but was not selected. Respondent No.2 was eligible as per prospectus, wherein following condition was laid down:-

“The Foreign candidates are required to route their application through the Government of India, Ministry of Health and Family Welfare, New Delhi. They are also required to appear in the entrance examination along with other candidates. Separate merit list of the foreign nationals will be prepared within their own group. The selection of candidates will be made on merit based on their performance in the Entrance Examination. In the event of selection, the candidates have to apply for temporary registration with the Medical Council of India for the duration of Post-Graduate study. **However, for D.M./M.CH. there will be no separate reservation for foreign students under deputed/sponsored category**”

It is further stated that respondent No.2 stood first in the order of merit and no person lower in merit to the petitioner, was given admission. Learned counsel for respondent No.1 also produced a copy of the letter dated 10.11.2006 whereby application of respondent No.2 was forwarded by the Government of India to respondent No.1.

We have considered the rival submissions and perused the record.

In view of the fact that respondent No.2 was at serial No.1 in the merit list and was eligible as per the condition laid down in the prospectus, no ground is made out for setting aside the admission of respondent No.2.

The writ petition is dismissed.

(ADARSH KUMAR GOEL)
JUDGE

August 22, 2007
ashwani

(AJAI LAMBA)
JUDGE